

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:22CR85
)	
Plaintiff,)	JUDGE DAN A. POLSTER
)	
v.)	
)	
CHRISTOPHER FICKLIN, aka)	
LLANTES, et al.,)	
)	
Defendant.)	<u>PRELIMINARY ORDER OF FORFEITURE</u>

The United States of America has filed a Motion for a Preliminary Order of Forfeiture in the above-captioned case.

1. On March 3, 2022, a Grand Jury returned a 30-count Indictment against Christopher Ficklin, and three co-defendants, charging them with violations of 21 U.S.C. §§ 841 and 846; 18 U.S.C. §§ 922, 1952, and 1956.

2. The Indictment further sought forfeiture, pursuant to 21 U.S.C. § 853, 18 U.S.C. §§ 981(a)(1)(C) and 924, 28 U.S.C. § 2461(c), and 18 U.S.C. § 982, of any and all property constituting or derived from any proceeds they obtained directly or indirectly as a result of such offenses; any and all of their property used or intended to be used in any manner or part, to commit or to facilitate the commission of such offenses; any property real or personal which

constitutes or is derived from proceeds traceable to such offenses; any and all property involved in such offenses or any property traceable to such property; and any firearms and ammunition involved in the commission of such offenses; including, but not limited to, the following:

- a. Real Property located at 7719 Carnegie Avenue, Cleveland, Ohio (Permanent Parcel No. 118-16-117) in the name of CNT Construction Co. [CHRISTOPHER FICKLIN];
- b. a Taurus handgun, bearing serial number TCM78142 [CHRISTOPHER FICKLIN];
- c. a Smith and Wesson, .40 handgun, bearing serial number SW40VE, [CHRISTOPHER FICKLIN]; and
- d. a Ruger, .357 handgun, bearing serial number 579-71059 [CHRISTOPHER FICKLIN].

3. On December 15, 2022, Christopher Ficklin entered into a plea agreement pleading guilty to counts 1, 2-20, 23, 21, 25, and 26 of the indictment. As it relates to forfeiture, Ficklin agreed to the forfeiture of the following firearms as they were involved in, or used in the firearms violation he pled to in Count 25, and are, therefore subject to forfeiture:

- a. a Taurus handgun, bearing serial number TCM78142 [CHRISTOPHER FICKLIN];
- b. a Smith and Wesson, .40 handgun, bearing serial number SW40VE, [CHRISTOPHER FICKLIN]; and
- c. a Ruger, .357 handgun, bearing serial number 579-71059 [CHRISTOPHER FICKLIN].

Additionally, Ficklin agreed the real property located at 7719 Carnegie Avenue Cleveland, Ohio, described above, was used or intended to be used in any manner or part to commit or to facilitate the commission of the criminal activity to which he pled guilty, and is, therefore subject to forfeiture. However, the United States agreed to accept \$100,000.00 *in lieu* of the above-described real property if a check was delivered to the United States Attorney's office prior to sentencing. Said check was delivered to undersigned counsel on March 20, 2023.

4. By virtue of the foregoing, the United States is entitled to possession of the subject property pursuant to 21 U.S.C. § 853 [as incorporated by 28 U.S.C. § 2461(c)].

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. The United States is hereby authorized to seize the following properties, and they are hereby forfeited pursuant to 21 U.S.C. § 853, 18 U.S.C. § 924(d)(1), and 28 U.S.C. § 2461(c), to the United States for disposition in accordance with law, subject to the provisions of 21 U.S.C. § 853(n) [as incorporated by 28 U.S.C. § 2461(c)]:

- a. \$100,000.00 delivered to the United States on March 20, 2023, in lieu of the Real Property located at 7719 Carnegie Avenue, Cleveland, Ohio (Permanent Parcel No. 118-16-117) in the name of CNT Construction Co;
- b. a Taurus handgun, bearing serial number TCM78142;
- c. a Smith and Wesson, .40 handgun, bearing serial number SW40VE; and
- d. a Ruger, .357 handgun, bearing serial number 579-71059.

2. Pursuant to 21 U.S.C. § 853(n)(1), the United States forthwith shall publish, on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, notice of this Order, notice of the United States Marshal's intent to dispose of the forfeited property in such manner as the Attorney General may direct, and notice that any person, other than Defendant Christopher Ficklin, having or claiming a legal interest in the forfeited property, must file a petition with the Court within thirty (30) days of the final publication of notice or of receipt of any actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the forfeited property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the forfeited subject property, as a substitute for published notice as to those persons so notified.

3. Upon adjudication of any and all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n).

IT IS SO ORDERED this 20th day of March, 2023.



A handwritten signature in black ink, appearing to read "Dan A. Polster", written over a horizontal line.

JUDGE DAN A. POLSTER
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OHIO